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VIA FACSIMILE

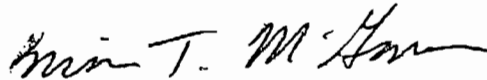
John Gasior, Esq.
Assistant Attorney General
Office of the Attorney General of the
State of New York
120 Broadway – 24th Floor
New York, New York 10271

Re: John E. Andrus Memorial, Inc. (d/b/a Andrus on Hudson) v. Daines
07-CV-3432 (CLB) (KNF)

Dear John:

At the Court's instruction, I write to advise that the Court has cancelled the conference scheduled for this Wednesday, May 7, 2008. We are to contact the Court to set up a date with the Court later this month once we have worked out between ourselves scheduling for the evidentiary hearing.

Respectfully,



Brian T. McGovern

BTM/cr

cc: Chambers of Hon. Charles L. Brieant (via facsimile)